

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

CARLA PERKINS,

No. C 04-05197 JCS

Plaintiff(s),

ORDER OF DISMISSAL

v.

ROTECH HEALTHCARE INC. ET AL,

Defendant(s).

The Court having been advised that the parties have agreed to a settlement of this case,

IT IS HEREBY ORDERED that this case is dismissed in its entirety with prejudice; provided, however, that if any party hereto shall certify to this Court, within thirty (30) days, with proof of service of a copy thereon to opposing counsel, that the agreed consideration for said settlement has not been delivered over, the foregoing Order shall stand vacated and this cause shall forthwith be restored to the calendar to be set for trial.

IT IS SO ORDERED.

Dated: January 19, 2006



JOSEPH C. SPERO
United States Magistrate Judge